



Introduced Version

SENATE BILL No. 36

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-7-2-34; IC 12-21-6.5.

Synopsis: Commission on mental health. Makes the commission on mental health permanent. Creates a 17 member commission on mental health as a statutory commission to study the delivery of mental health services in Indiana. (The commission was established by a provision that expires January 1, 2006.) (The introduced version of this bill was prepared by the commission on mental health.)

Effective: Upon passage.

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January 9, 2006, read first time and referred to Committee on Health and Provider Services.

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Introduced

Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 36

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 12-7-2-34 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34. "Commission" means the following:

(1) For purposes of IC 12-10-2, the meaning set forth in IC 12-10-2-1.

(2) For purposes of IC 12-11-7, the meaning set forth in IC 12-11-7-1.

(3) For purposes of IC 12-12-2, the meaning set forth in IC 12-12-2-1.

(4) For purposes of IC 12-13-14, the meaning set forth in IC 12-13-14-1.

(5) For purposes of IC 12-14-12, the meaning set forth in IC 12-14-12-1.

(6) For purposes of IC 12-21-6.5, the meaning set forth in IC 12-21-6.5-1.

~~(6)~~ (7) For purposes of IC 12-28-1, the meaning set forth in IC 12-28-1-3.

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SECTION 2. IC 12-21-6.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 6.5. Commission on Mental Health

Sec. 1. As used in this chapter, "commission" refers to the Indiana commission on mental health established by section 2 of this chapter.

Sec. 2. The Indiana commission on mental health is established.

Sec. 3. The commission consists of seventeen (17) members determined as follows:

(1) The speaker of the house of representatives and the president pro tempore of the senate shall each appoint two (2) legislative members, who may not be from the same political party, to serve on the commission.

(2) The governor shall appoint thirteen (13) lay members, not more than seven (7) of whom may be from the same political party, to serve on the commission as follows:

(A) Four (4) at-large members, not more than two (2) of whom may be from the same political party.

(B) Two (2) consumers of mental health services.

(C) Two (2) representatives of different advocacy groups for consumers of mental health services.

(D) Two (2) members of families of consumers of mental health services.

(E) Three (3) members who represent mental health providers. One (1) of the members appointed under this clause must be a representative of a for-profit psychiatric provider. One (1) of the members appointed under this clause must be a physician licensed under IC 25-22.5.

(3) The governor shall ensure that the members appointed under subdivision (2) represent all geographic areas of Indiana.

Sec. 4. Except for the members appointed under section 3(2)(E) of this chapter, the members of the commission may not have a financial interest in the subject matter to be studied by the commission.

Sec. 5. The chairman of the legislative council shall designate a legislative member of the commission to serve as chairperson of the commission.

Sec. 6. The commission shall operate under the policies governing study committees adopted by the legislative council.

Sec. 7. The affirmative votes of a majority of the members

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1 appointed to the commission are required for the commission to
 2 take action on any measure, including final reports.

3 **Sec. 8. The commission shall do the following:**

4 (1) Study and evaluate the funding system for mental health
 5 services in Indiana.

6 (2) Review and make specific recommendations regarding the
 7 provision of mental health services delivered by community
 8 providers and state operated hospitals. The review and
 9 recommendations must cover services to all age groups
 10 including children, youth, and adults.

11 (3) Review and make recommendations regarding any unmet
 12 need for public supported mental health services:

13 (A) in any specific geographic area; or

14 (B) throughout Indiana.

15 In formulating recommendations, the commission shall
 16 consider the need, feasibility, and desirability of including
 17 additional organizations in the network of providers of mental
 18 health services.

19 (4) Monitor the implementation of managed care for the
 20 mentally ill that is paid for in part or in whole by the state.

21 (5) Make recommendations regarding the commission's
 22 findings to the appropriate division or department of state
 23 government.

24 **SECTION 3. An emergency is declared for this act.**

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